

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**SMARTDISK CORPORATION,**

**Plaintiff**

**vs.**

**ARCHOS S.A. and ARCHOS INC.,**

**Defendant.**

**Civil Action No.: 2-05 CV-101-TJW**

**Before: Hon. T. John Ward**

**PLAINTIFF'S REPLY TO ARCHOS S.A.  
AND ARCHOS INC.'S COUNTERCLAIM**

Plaintiff SmartDisk Corporation hereby responds to each paragraph comprising the counterclaim of Archos S.A. and Archos Inc., as follows:

1. SmartDisk admits this Court has jurisdiction over Archos' counterclaim.
2. SmartDisk admits venue is proper.
3. SmartDisk is unable to admit or deny Archos S.A.'s place of incorporation and principal place of business.
4. SmartDisk is unable to admit or deny Archos, Inc.'s state of incorporation and principal place of business.
5. Admitted.
6. Admitted.
7. Admitted.
8. Denied.
9. Denied.
10. Denied.
11. Denied.

12. Denied.

Respectfully submitted,

DATED: March 1, 2006

/s/ Sam Baxter  
Sam Baxter, Lead Attorney

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served on all counsel, pursuant to the Federal Rules of Civil Procedure on March 1, 2006.

/s/ Sam Baxter

Sam Baxter